

**STATE OF TENNESSEE**

**PUBLIC CHAPTER NO. 452**

**SENATE BILL NO. 104**

**By Berke, Burks, Ford, Harper**

Substituted for: House Bill No. 610

By Stewart, Hardaway, Shaw

AN ACT to amend Tennessee Code Annotated, Title 41, relative to a society plan for incarcerated prisoners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 1, Part 4, is amended by adding the following language as a new, appropriately designated section:

41-1-4\_\_\_. The trial courts, the board of probation and parole and the Department of Correction shall coordinate efforts to prepare offenders for reentry into society. To that end, it is the intent of the general assembly that validated risks/needs assessment instruments shall be used to develop offender reentry plans.

(1) In preparing presentence reports in accordance with § 40-35-207, the board of probation and parole shall include information identifying the defendant's risks and needs as determined through the use of a validated assessment instrument, along with recommended treatment programs to address such risks and needs and enhance the defendant's opportunity for successful reentry into the community.

(2) The Department of Correction or the board of probation and parole, as appropriate, shall develop an individual treatment/supervision plan for each offender in its custody or under its supervision to enhance the offender's opportunity for successful reentry into the community. The plan shall be developed using a validated instrument to evaluate the individual risks and needs of the offender.

SECTION 2. Tennessee Code Annotated, Title 41, Chapter 1, Part 4, is further amended by adding the following language as a new, appropriately designated section:

41-1-4\_\_\_.

(a) When appropriate to better manage and assist probationers under their supervision, probation and parole officers employed by the board of probation and parole shall have the authority to impose intermediate administrative sanctions, including, but not limited to, mandated participation in treatment programs designed to address an

offender's risks and needs. Such intermediate administrative sanctions shall be imposed in accordance with the treatment/supervision plan developed using a validated instrument to evaluate the individual risks and needs of the offender.

(b) Trial courts may revoke the authority granted to probation and parole officers in subsection (a), by entering an order to such effect, in all cases for all defendants, in certain, specified cases or for particular defendants.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.

**PASSED: June 1, 2009**



RON RAMSEY  
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 23rd day of June 2009**



PHIL BREDESEN, GOVERNOR